

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CITIBANK, N.A., NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS SEPARATE
TRUSTEE FOR PMT NPL FINANCING
2015-1,

Plaintiff,

v.

RENEE ANNA NAJDA *et al.*,

Defendants,

v.

SANTANDER BANK N.A. f/k/a SOVEREIGN
BANK,

Party-in-Interest,

RENEE ANNA NAJDA *et. al.*,

Defendants/Counterclaim Plaintiffs,

v.

CITIBANK, N.A. AS TRUSTEE FOR
THE BENEFIT OF SWDNSI TRUST
SERIES 2010-3, *et al.*,

Counterclaim Defendants.

Case No. 14-13593-GAO

PLAINTIFF’S MOTION TO EXTEND TIME TO FILE ITS BRIEF

Plaintiff Citibank, N.A., not in its individual capacity, but solely as separate trustee for PMT NPL Financing 2015-1 (“Plaintiff”) hereby respectfully moves for a seven (7) day extension of its July 11, 2023 deadline to file a memorandum regarding its position as to “the power of

Citibank as trustee vis-à-vis the trust,” and specifically as to whether “Citibank had the customary power to hold, manage, and dispose of assets for the benefit of others” at the outset of the litigation as requested by this Court’s June 13, 2023 Order [ECF No. 496]. In support of this Motion, Plaintiff states as follows:

1. The current deadline to file the aforementioned brief is July 11, 2023.
2. This matter commenced in 2014 and is accompanied by an enormous record consisting of discovery, trial records, and three separate appeals.
3. In a June 9, 2023 Order, the Court of Appeals remanded two of the appeals to this Court for a second time for further inquiry and briefing on the matter of whether diversity jurisdiction existed at the time of filing.
4. In a June 13, 2023 Order, this Court set a briefing schedule in accordance with the Appeals Court’s remand order.
5. Plaintiff seeks a seven (7) day extension to file its brief to and including July 18, 2023. The basis for this request is that the compilation of said brief requires a thorough review of an extensive record of facts and events developed over the course of nearly a decade since the matter was originally filed in 2014.
6. Additionally, the July 4 federal holiday precedes the current deadline and caused a minor delay.
7. Plaintiff’s requested extension will not prejudice any party.
8. This Motion is made in good faith and not for the purpose of delay.

Plaintiff respectfully requests that the Court grant its Motion and extend the deadline for it to file its brief by seven (7) days to and including July 18, 2023 and to grant a corresponding seven

(7) day extension of the deadline to file any response to Defendants' brief to and including July 25, 2023.

Respectfully Submitted,

Plaintiff Citibank, N.A., not in its individual capacity, but solely as separate trustee for PMT NPL Financing 2015-1,

By its attorneys,

/s/ Kevin P. Polansky

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Dated: July 6, 2023

CERTIFICATE OF SERVICE

I, Kevin P. Polansky, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this date.

Dated: July 6, 2023

/s/ Kevin P. Polansky